

AO 91 (Rev 8/01) Criminal Complaint

United States District Court

SOUTHERN

DISTRICT OF

TEXAS

McALLEN DIVISION

UNITED STATES OF AMERICA

V.

United States District Court
Southern District of Texas
FILED

CRIMINAL COMPLAINT

JUL 06 2020

Case Number: M-20-1323 -M

2 Joel SEPULVEDA, 1991 (USA)

David J. Bradley, Clerk

SEALED

(Name and Address of Defendant)

I, the undersigned complainant being duly sworn state the following is true and correct to the best of my

knowledge and belief. On or about 06/18/2020 in Starr County, inthe Southern District of Texas the defendant(s)

(Track Statutory Language of Offense)

21 USC 841 & 846 - Conspiracy to Possess with the Intent to Distribute and Possession with Intent to Distribute Marijuana, approximately 260.0 kilograms, a schedule I controlled substance.

in violation of Title 21 United States Code, Section(s) USC 841 & 846I further state that I am a(n) DEA Special Agent and that this complaint is based on the following facts:

See attached affidavit.

Continued on the attached sheet and made a part of this complaint:

Yes X No

Approved by: AUSA Patricia Cook Profit

Submitted by reliable electronic means, sworn to and attested to telephonically per Fed. R. Cr. P. 4.1, and probable cause found on:

/s/ Christopher Donahue

Signature of Complainant

Christopher Donahue DEA Special Agent

July 6, 2020 2:19pm

Juan F. Alanis, U.S. Magistrate Judge

Name and Title of Judicial Officer

Signature of Judicial Officer

USMS, McALLEN TX
720 07 06 PM03:10

ATTACHMENT 1

1. During May and June, 2020, DEA Special Agents and Border Patrol Agents (BPA) received information from two (2) DEA confidential sources (CS 1 and CS 2) who stated that GARCIA drug trafficking organization (DTO) member " " was coordinating the smuggling of narcotics from Mexico into the United States in the area of Midway Road, Rio Grande City, Texas. Both CS 1 and CS 2 stated that " " was coordinating his smuggling activities with his cousin Joel SEPULVEDA aka "Joey" who was working as scout and coordinator for " " . Additionally, both CS 1 and CS 2 stated that Rosbel GARCIA was working for Luis SEPULVEDA and Joel SEPULVEDA as a scout and narcotics load vehicle driver. CS 1 has provided information to agents which has led to the seizure of over \$500,000.00 in suspected drug proceeds and over 250 kilograms of suspected marijuana. Information provided by CS 1 to agents regarding the GARCIA DTO has been corroborated through extensive surveillance, research, interviews with DTO members, and other sources of information. CS 2 has also provided agents with information regarding GARCIA DTO drug trafficking activities and the roles of its members. Agents have been able to corroborate information provided by CS 2 through extensive surveillance and interviews with other sources of information.
2. On June 18, 2020, BPAs established surveillance along the Rio Grande River, in an area known as Reyes Landing in Rio Grande City, Texas, which is a known smuggling corridor for narcotics entering the United States.
3. At approximately 8:51 p.m., BPAs observed a white newer model Chevrolet Blazer SUV drive to the southern end of Midway Road. Shortly thereafter, BPAs observed the Blazer drive back north on Midway Road and park at the intersection of Midway Road and a dirt road that leads to Reyes Landing. BPAs observed that the Blazer was parked at the intersection of Midway Road and the dirt road for approximately three (3) to four (4) minutes and then travelled back north on Midway Road. BPAs have observed that this dirt road is frequently used by narcotics traffickers due to its direct route to Reyes Landing. BPAs observed that the Blazer was identical to a white Chevrolet Blazer owned by Joel SEPULVEDA's wife, Maria Sepulveda. Additionally, BPAs observed that the Blazer appeared to be scouting for law enforcement and doing a "dry run" or "test run" to see if the vehicle would be stopped by law enforcement upon driving back north on Midway Road.
4. At approximately 10:40 p.m., BPAs observed a white Chevrolet Silverado drive along the river road, adjacent to the Rio Grande River, and park in the area of Reyes Landing. BPAs observed that the Silverado remained parked at the river for approximately five (5) minutes. After approximately five (5) minutes, BPAs heard one (1) of the Silverado's doors close. Moments later, BPAs observed the Silverado depart Reyes Landing and travel northbound on Midway Road. As the Silverado drove north on Midway Road, a BPA drove south on Midway Road in an attempt to get a closer look at the vehicle. As the BPA neared the Silverado, the BPA observed the Silverado drive through the intersection of Midway Road and U.S. Expressway 83 without stopping at the stop sign and drive north on Suntex Road. Shortly after, the BPA attempted to conduct a vehicle

stop on the Silverado. The Silverado subsequently failed to yield and agents pursued the vehicle as it drove north through Rio Grande City, Texas. After a few minutes the driver abandoned the vehicle in a brushy area near the intersection of Alvarez Road and Agua Verde Road.

5. BPAs discovered a total of fourteen (14) bundles of suspected marijuana inside of the abandoned Silverado. The bundles were subsequently processed at the Border Patrol Station. The bundles weighed approximately 260 kilograms, and a field test was conducted on a sample taken from one (1) of the bundles, which tested positive for the characteristics and properties of marijuana.
6. Agents subsequently pursued the driver of the Silverado with a Border Patrol K-9 officer who is trained to track individuals. Agents subsequently tracked the driver southeast towards Alvarez Road. While tracking the driver, agents located the driver's shoes, shirt, and part of the driver's phone. Agents subsequently tracked the driver to the Esperanza Apartments on Alvarez Road, where agents observed Rosbel GARCIA attempting to hide behind a vehicle in the parking lot. Agents observed that GARCIA was not wearing a shirt, shoes, and possessed half of a broken phone. Agents observed numerous fresh scratches and cuts on GARCIA's torso, arms, and legs. GARCIA was subsequently arrested.
7. On June 19, 2020, agents conducted a post arrest Mirandized interview of GARCIA. During the interview, GARCIA admitted to participating in the marijuana smuggling attempt and stated that he was driver of the Silverado that fled from agents. GARCIA stated that on June 18, 2020, [redacted] contacted him via telephone and asked him if he was interested in picking up and transporting a marijuana load from the Rio Grande River. GARCIA stated that [redacted] told him he would be picking up "Jale" which he understood to be marijuana.
8. GARCIA stated that [redacted] works with [redacted] Joel SEPULVEDA to smuggle narcotics into the U.S. GARCIA stated that Joel SEPULVEDA helps [redacted] by scouting for narcotics shipments.
9. GARCIA stated that on June 18, 2020, he met with Joel SEPULVEDA and he provided GARCIA with the keys to the Chevrolet Silverado that he used to pick up the marijuana at the river.
10. GARCIA stated on June 18, 2020, [redacted] called him and told him that the marijuana was ready to be picked up at the Rio Grande River. GARCIA stated that he subsequently drove down to the Rio Grande River where his vehicle was loaded with marijuana bundles by unknown Mexican subjects. GARCIA stated that prior to picking up the marijuana, he spoke with Joel SEPULVEDA who told him that he had also travelled to the border a short time before him and that the area was clear of law enforcement. GARCIA stated that while his vehicle was being loaded up with the marijuana, he was on a three (3) way phone call with [redacted] and Joel SEPULVEDA. GARCIA stated that Joel SEPULVEDA was scouting for GARCIA when he picked up the marijuana. GARCIA stated that while on the three (3) way phone call, [redacted] told GARCIA to drive faster to avoid getting arrested by law enforcement.

11. GARCIA stated that
attempt and
marijuana.

was the coordinator of the marijuana smuggling
was going to pay him for picking up and transporting the